

NOTICE OF OBJECTION TO CONFIRMATION

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY has filed papers with the Court to object to the Confirmation of the Chapter 13 Modified Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to object to the Confirmation of the Chapter 13 Modified Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk
U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Isabel C. Balboa, Trustee
Cherry Tree Corporate Cen, 535 Route 38 - Suite 580
Cherry Hill, NJ 08002

Attend the hearing scheduled to be held on 05/10/2017 in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court
401 Market Street, 2nd Floor
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: May 5, 2017

/s/ Michael Dingerdissen
Michael Dingerdissen, Esq.
Phelan Hallinan Diamond & Jones, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 31614

Fax: 856-813-5501

Email: michael.dingerdissen@phelanhallinan.com

File No. 767643

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY

In Re:

HARRY W. BARNUM

Debtors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

Chapter 13

Case No. 15-16900 - ABA

Hearing Date: 05/10/2017

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY, the holder of a Mortgage on debtor's residence located at 2 WILLET COURT, GLOUCESTER TOWNSHIP, NJ 08081-1318 hereby objects to the Confirmation of the debtors proposed Chapter 13 Modified Plan on the following grounds:

1. On August 19, 2015, Movant filed a Proof of Claim listing pre-petition arrears in the amount of \$54,422.12.
2. Debtor's Modified Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5). Movant objects to Debtor's Modified Plan as it is underfunded. Debtor's Modified Plan should be amended to fully fund the arrears owed to Movant. Confirmation of Debtor's proposed Modified Plan should be denied.
3. Debtor's Modified Plan provides for the Debtor's pursuit of a loan modification. Debtor's Modified Plan is speculative in nature in that the Modified Plan contemplates curing the arrears through a loan modification that has neither been offered nor approved.
4. Movant objects to the Debtor's Modified Plan as Part 4 indicates that the post-confirmation payment is \$1,108.30 when in fact the actual post-petition payment is \$2,262.13. The Court should not allow the Modified Plan be confirmed with this payment amount.

WHEREFORE, NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY respectfully requests that the Confirmation of Debtors Modified Plan be denied.

/s/ Michael Dingerdissen

Michael Dingerdissen, Esq.

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

Tel: 856-813-5500 Ext. 31614

Fax: 856-813-5501

Email: michael.dingerdissen@phelanhallinan.com

Dated: May 5, 2017

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

767643
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for NEW JERSEY HOUSING AND
MORTGAGE FINANCE AGENCY

In Re:

HARRY W. BARNUM

Case No: 15-16900 - ABA

Hearing Date: _____

Judge: Andrew B. Altenburg, Jr

Chapter: 13

CERTIFICATION OF SERVICE

1. I, Kimberly Wilson:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On May 5, 2017 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Modified Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: May 5, 2017

/s/ Kimberly Wilson
Kimberly Wilson

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
HARRY W. BARNUM 2 WILLET COURT, GLOUCESTER TOWNSHIP, NJ 08081-1318	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
JOANNE WEBB-BARNUM 2 WILLET COURT GLOUCESTER TOWNSHIP, NJ 08081-1318	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
KIMBERLY A. WILSON, Esquire 24 NORTH WHITE HORSE PIKE SOMERDALE, NJ 08083	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa, Trustee Cherry Tree Corporate Cen, 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.